

UNITED STATES DISTRICT COURT EASTERN
DISTRICT OF NEW YORK

Case No. 18-cv-6613

SHAKEYA RHODEN, and other similarly situated
current and former nurses and technicians,

Plaintiff,

**DECLARATION OF JASON
TENENBAUM**

- Against -

NIRANJAN MITTAL, NIRANJAN K. MITTAL,
PHYSICIAN, PLLC,

Defendant.

Jason Tenenbaum, hereby declares pursuant to 28 USC Section 1746 under penalties of perjury as follows:

1. I am a member of The Law Office of Jason Tenenbaum, P.C. We represent the Plaintiff in this matter.
2. I make this affirmation in support of Plaintiffs' motion for a default judgment, pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure.
3. I am personally familiar with the facts discussed herein and attach as exhibits hereto true and correct copies of the documents referenced within.
4. On December 11, 2018, Plaintiffs filed a Complaint in this action. See dkt 1.
5. Attached hereto as Exhibit "1" is a true and correct copy of the docket in this case showing the Clerk's Entry of Default against Defendants on January 24, 2019. See dkt 10.
6. Attached hereto as Exhibit "2" is a true and correct copy of the time records and expense report kept by The Law Office of Jason Tenenbaum, P.C. in connection with this matter.

7. All of the legal services are reflected in Exhibit 2. In my professional opinion, all of the time billed was necessary.
8. I am an attorney whose practice focuses on insurance law, personal injury law, consumer protection law and labor law. Specifically, The Law Office of Jason Tenenbaum, P.C. represents employees in wage and hour and discrimination matters.
9. Jason Tenenbaum received his J.D. from Syracuse University College of Law in 2002.
10. I believe that given my experience as an attorney, a fair hourly fee of \$400.00 is reasonable.
11. The number of attorney hours submitted are supported by my records, are reasonable and were necessarily expended on this litigation. Below is a chart representing the how-sand hourly rate I am requesting:

Individual:	Rate	Total Hours	Totals
Jason Tenenbaum	\$400.00	17.0	\$6,800.00

12. I incurred the following costs in litigating this case:

Description of cost	Cost
Filing fee	\$400.00
Service of process	\$100.00
Total	\$500.00

13. Should Plaintiffs receive a default judgment in their favor, more attorney hours will be spent attempting to enforce the judgment, for which I will likely not be compensated.
14. Plaintiffs' total expenses, which this office paid on their behalf pursuant to the terms of the retainer agreement is \$ 100.00 All listed costs and expenses were reasonably and necessarily incurred and are readily identifiable.

15. I would request an entry of judgment in the sums set forth in the Guzman declaration,
along with our costs and an award of attorneys fees.

Dated Garden City, New York
January 28, 2019

/s/ Jason Tenenbaum

Jason Tenenbaum, Esq.

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT: NEW YORK

Case No. 18-CV-6613

SHAKEYA RHODEN, and and other similarly situated
current and former nurses and technician

Plaintiff,

**REQUEST FOR CERTIFICATE OF
DEFAULT**

- Against -

NIRANJAN MITTAL,
NIRANJAN K. MITTAL, PHYSICIAN, PLLC,

Defendant.

I, Douglas C. Palmer, Clerk of Court of the United States District Court for the Eastern District of New York, do hereby certify that the defendants NIRANJAN MITTAL, NIRANJAN K. MITTAL, PHYSICIAN, PLLC, have not filed an answer or otherwise moved with respect to the complaint herein. The default of the Defendants is hereby noted pursuant to Rule 55(a) of the Federal Rules of Civil Procedure.

Dated: Brooklyn, New York
January 24, 2019

DOUGLAS C. PALMER, Clerk of Court

By: /s/Jalitza Poveda
Deputy Clerk

Date	Time	Duration	Code	Done	Description	Staff	Client	ClientNo	Ext Contact	MatterNo	Reminders	Follow
11/18/2018	Sun 9:20PM	4.5	N	N	Drafting Summons and complaint	JT			AC4F5A9B765E7622	8850-0002		N
11/19/2018	Mon 9:20PM	1.5	N	N	Complete summons and civik cover shert	JT			AC4F5A9B765E7622	8850-0002		N
11/19/2018	Mon 9:21PM	0	N	N	Filing Fee (\$400)	JT			AC4F5A9B765E7622	8850-0002		N
12/11/2018	Tue 8:18PM	0.5	N	N	Upload AOS	JT			AC4F5A9B765E7622	8850-0002		N
12/19/2018	Wed 8:19PM	0.5	N	N	Affidavit of service	JT			AC4F5A9B765E7622	8850-0002		N
1/15/2019	Tue 8:20PM	1	N	N	Draft certificat of default	JT			AC4F5A9B765E7622	8850-0002		N
1/24/2019	Thu 7:35PM	3	N	N	Drafting default paperwork	JT			AC4F5A9B765E7622	8850-0002		N
1/27/2019	Sun 7:35PM	2	N	N	Further consult with client	JT			AC4F5A9B765E7622	8850-0002		N
1/27/2019	Sun 7:36PM	1	N	N	Re-drafting of client declaration	JT			AC4F5A9B765E7622	8850-0002		N
1/27/2019	Sun 7:36PM	1	N	N	Drove to client's house to execute dec.	JT			AC4F5A9B765E7622	8850-0002		N
1/28/2019	Mon 7:36PM	0.5	N	N	Upload of motion to ECF	JT			AC4F5A9B765E7622	8850-0002		N
1/28/2019	Mon 1:59PM	1	N	N	Met with client	JT			AC4F5A9B765E7622	8850-0002		N
1/29/2019	Tue 7:36PM	0.5	N	N	Mailing of motion	JT			AC4F5A9B765E7622	8850-0002		N
		17							AC4F5A9B765E7622	8850-0002		N

DECLARATION OF SERVICE

STATE OF NEW YORK)
(ss:)
COUNTY OF NASSAU)

Jason Tenenbaum, hereby declares pursuant to 28 USC § 1746, under penalties of perjury as follows:

On January 28, 2019, I served a true copy of the annexed **MEMORANDUM OF LAW, DECLARATIONS IN SUPPORT NAD EXHIBITS ANNEXED THERETO** upon the party indicated below at their respective addresses indicated below, the address designated by said attorney for that purpose, by depositing same in a sealed envelope in a postpaid, properly addressed wrapper in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York:

Niranjana Mittal
7404-5th Avenue
Brooklyn, New York 11209

Niranjana K. Mittal Physician, PLLC
7404-5th Avenue
Brooklyn, New York 11209

Dated: January 28, 2019
Garden City, New York

s/Jason Tenenbaum

Jason Tenenbaum